

**Statement of Senator Hollings
on the Nomination of Samuel Bodman to be Deputy Secretary of Commerce at the
Department of Commerce (DOC)**

Mr. Samuel W. Bodman, III is the nominee for Deputy Secretary of Commerce. He is joined today by his wife, Dianne Bodman, and his step son Terry Barbar. Mr. Bodman is a chemical engineer by training and has had a long, distinguished career in business, most recently as Chairman and Chief Executive Officer of the Cabot Corporation.

I enjoyed meeting Mr. Bodman, and, like Secretary of Commerce Don Evans, I am expecting great things of this nominee. The Secretary has said more than once that he is anxious to have you at the Department. He is expecting you to play a major role in two agencies that are very important to me, the National Oceanic and Atmospheric Administration (NOAA) and the National Institute of Standards and Technology (NIST)

With regard to NIST, as you know, Mr. Bodman, I am looking forward to working with you and the Secretary on making improvements to the Advanced Technology Program for FY 2002 and beyond. But make no mistake, the ATP contracts with firms, on a cost-shared basis, for long-term research to develop new breakthrough technologies with broad economic promise – and it's working. No matter what changes are made for the future, I hope that, if confirmed, you can ensure that the foolishness stops and that the Department begins to issue the FY 2001 awards in a timely manner.

NOAA was just provided with its largest budget in history, so, as the person who is responsible for the day-to-day operations of the Department, you will have at your disposal the appropriate resources for improving the management capabilities of NOAA. This Committee will be closely following the new Administration on its plans for improving the management and integration of the various NOAA line offices, and strongly believes that NOAA urgently needs high level focus to improve upon its mission to conserve our nations coastal and marine resources. One of the critical needs is modernizing our management and stewardship of living marine resources and reducing the need for fisheries-related litigation, especially suits brought under the Endangered Species Act and the National Environmental Policy Act. It is my strong desire, that if nominated, you will provide the leadership and support necessary to improve the management of NOAA.

Finally, I also wanted to mention the Department's role in enforcing our nation's unfair trade laws. I am confident that you will apply these rules vigorously.

**Statement of Senator Hollings
on the Nominations of Kirk Van Tine, General Counsel, Department of Transportation
Allan Rutter, Federal Railroad Administrator
Ellen Engleman, Administrator of the Research and Special Projects Administration**

The Department of Transportation performs many vital national functions in promoting safe and efficient travel. From the safety functions of providing oversight of our highways, airways, waterways, and railroad network, to promoting our transportation system so that all U.S. citizens can travel efficiently and economically, the Department of Transportation has many important responsibilities.

The role of the General Counsel at DOT is one of stewardship, and provides the agency with legal representation and advice, as well as the important function of monitoring and approving regulations implementing the laws passed by Congress. Mr. Kirk Van Tine has been nominated for the position of General Counsel of the Department of Transportation. He is a graduate of the U.S. Naval Academy, and served as a submariner. In addition he graduated from the University of Virginia School of Law with distinction. Before hearing from the nominee I would like to comment on a couple of issues of particular concern to me, and would hope that you, Mr. Van Tine could help move these issues forward at the Department.

In aviation, DOT is the protector of the public interest when it comes to aviation competition. You get to look at the broad picture and make decisions. DOT has an enormous amount of underutilized authority to look at competition issues. Section 155 of AIR 21 mandates that airports focus on how to increase competition. DOT's authority to review "unfair methods of competition", a broader standard than the traditional antitrust laws, gives you the ability to issue predatory pricing guidelines and take enforcement action. DOT also has authority to review alliances "or any other cooperative working arrangement" involving two carriers that affects 15 percent of the industry. You have got to use this authority. You have got to focus on the lack of competition in the airline industry. We have a choice – either force more competition, as S. 415 would do, or somehow prevent monopoly pricing.

I am also concerned about the state of security at our seaports. When we move passengers and freight through airports the FAA has implemented a system of security in order to protect the public, however, when cargo or freight moves through a seaport we have no federal system in place to try to protect the population from threats of terrorism, drugs, or criminal acts. I know that the Coast Guard, which is already overextended, has been working to come up with policies to try to address these issues. I intend to introduce legislation to create a security program at our sea borders and, I would hope that, if confirmed, you could help us address these issues.

Today we will also hear about the nomination of Allan Rutter, *of Texas, to be Administrator of the Federal Railroad Administration (FRA) within the Department of Transportation. This*

position is an important one, and I am pleased to have before us a nominee of evident professional qualifications and experience with rail transportation policy issues.

If confirmed as FRA Administrator, Mr. Rutter will be responsible for administering and enforcing the railroad safety laws of the United States. The FRA plays a critical role in implementing federal policies intended to ensure the vitality and economic health of the Nation's railroads, rail labor, and the railroad supply industry. In addition, if confirmed, Mr. Rutter will be confronted with decisions regarding many important rail issues, including the appropriate role and mission of the National Railroad Passenger Corporation (Amtrak), as well as proposals for an increased federal role in promoting the development of new high-speed ground transportation systems in this country. These challenges will require significant effort and commitment on the part of the FRA Administrator. Mr. Rutter brings strong experience in rail transportation and working with different groups at the state level to the tasks which lie ahead at the FRA.

The Committee will also be hearing from Ellen Engleman of Indiana, to be Administrator of the Research and Special Programs Administration (RSPA) within the Department of Transportation. RSPA is one of the Department's most important components and one of the youngest. It was established in 1977 and is responsible for hazardous materials transportation and pipeline safety, transportation emergency preparedness, safety training, multi-modal transportation research and development activities, and collection and dissemination of air carrier economic data. Two of the more important offices within RSPA are the Office of Hazardous Materials Safety and the Office of Pipeline Safety, which establishes and provides for compliance with standards that assure public safety and environmental protection in the transportation of gas and hazardous liquids by pipeline.

In the too recent past there have been several pipeline accidents across the nation which have resulted in loss of life and serious property damage. In fact, the Office of Pipeline Safety recently proposed the largest ever fine against a natural gas pipeline carrier last week. These accidents call for a vigorous response on the part of RSPA, and a focus on improving safety. The nominee for the position of RSPA Administrator is Ellen Engleman, and she is coming to us with good amount of experience in the business arena. I am pleased to welcome Ms. Engleman, and all of the DOT nominees to this Committee, and look forward to hearing from them.